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FISCAL IMPACT STATEMENT

LS 6336

BILL NUMBER: HB 1217

NOTE PREPARED: Feb 18, 2014

BILL AMENDED: Jan 27, 2014

SUBJECT: Single Contact Point for Wetland Work Permits.

FIRST AUTHOR: Rep. Davisson

FIRST SPONSOR: Sen. Yoder

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill requires the Department of Natural Resources (DNR) and the Department of Environmental Management (IDEM) to develop and implement a program under which the agencies will jointly accept and process applications for: (1) water quality certifications from IDEM under Section 401 of the federal Clean Water Act, (2) permits from IDEM for wetland activity in a state regulated wetland, and (3) permits from the director of the DNR for a structure, obstruction, deposit, or excavation in a floodway. The bill also authorizes the adoption of rules.

Effective Date: July 1, 2014.

Explanation of State Expenditures: (Revised) This bill requires IDEM and DNR to develop and implement a program to jointly accept and process applications for wetland work by January 1, 2015. The agencies would be required to change the application forms and processes used by the agencies to ensure that a person proposing to perform wetland work is not required to provide the same information separately to both agencies. These requirements could increase administrative workload for IDEM and DNR, but they should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

The bill also allows rules to be adopted by the Environmental Rules Board and DNR to carry out the bill's provisions. Both entities should be able to adopt rules within their current levels of resources available, assuming near customary agency staffing and resource levels.

Explanation of State Revenues: Currently, there are no fees to apply for a Section 401 Water Quality Certification permit or an Isolated Wetland permit under IC 13-18-22. Application fees for permits under IC

14-28-1 are as follows: \$200 for excavation, fill, or nonresidential construction in a floodway; \$50 for residential reconstruction in a floodway other than the Ohio River floodway; and \$10 for residential construction or reconstruction in the Ohio River floodway. Assuming that the application form required by this bill would continue assessing fees for these permits, there should be no impact on state revenue.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Natural Resources; Indiana Department of Environmental Management; Environmental Rules Board.

Local Agencies Affected:

Information Sources: Brad Baughn, Department of Natural Resources, 317-233-6904; Indiana Department of Environmental Management website; Department of Natural Resources website.

Fiscal Analyst: Jessica Harmon, 317-232-9854.